

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CAMERON SHAW,  
Plaintiff,

v.

SPARKY'S RESTAURANT COMPANY,  
Defendant.

Case No. 19-cv-03878-KAW

**THIRD ORDER TO SHOW CAUSE**

Re: Dkt. No. 34

On July 2, 2020, Defendant's counsel, Michael D. Welch, failed to appear at the ADR Phone Conference. (Dkt. No. 34.) Accordingly, the Court ORDERS Mr. Welch to show cause why he should not be sanctioned and reported to the California State Bar and the Northern District of California's Standing Committee on Professional Conduct. Mr. Welch shall file a response within **two weeks** of the date of this order. Failure to respond **will** result in the Court imposing sanctions and reporting Mr. Welch to the State Bar and the Standing Committee.

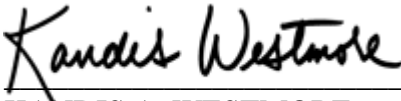
The Court observes that this is the third order to show cause issued in this case, and that Mr. Welch has **repeatedly** failed to respond to court orders, including orders to show cause. (*See* Dkt. Nos. 25, 28.) The Court has admonished Mr. Welch about his failure to comply with court orders and advised him that further failures will not be tolerated. (*See* Dkt. No. 31 at 2; *Johnson v. Express Auto Clinic, Inc.*, Case No. 18-cv-464-KAW, Dkt. Nos. 74, 80.) The Court also notes that Mr. Welch has had a number of orders to show cause issued against him due to his failure to comply with court orders. (*See Love v. Z Rentals, L.P.*, Case No. 19-cv-1639-DMR, Dkt. No. 24 (order to show cause for failure to appear at a case management conference); *Johnson v. VN Hotel, LLC*, Case No. 18-cv-1231-HSG, Dkt. No. 29 (order to show cause for failure to appear at a status conference); *Love v. Le*, Case No. 19-cv-1837-JCS, Dkt. No. 29 (order to show cause for failure to

appear at a case management conference); *Johnson v. Monterey & Rancho Plaza*, Case No. 18-cv-5718-BLF, Dkt. No. 31 (order imposing sanctions after Mr. Welch failed to respond to an order to show cause for failure to appear at a case management conference).)

The court is concerned that on a previous occasion, in open court, on another matter, Mr. Welch told the court that he had a stroke in June 2019, that his ability to practice was limited, and that he was referring his cases to other attorneys. He assured the court that he planned to retire and would not be taking any new cases. Yet, it appears that after making those representations to the court, Mr. Welch proceeded to take on at least five new cases in the Northern District.

IT IS SO ORDERED.

Dated: July 9, 2020

  
 KANDIS A. WESTMORE  
 United States Magistrate Judge